

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JANE DOE,

No. C 07-05596 SI

Plaintiff,

v.

**ORDER DENYING PLAINTIFF'S
DISCOVERY REQUESTS WITHOUT
PREJUDICE [Docket Nos. 251, 254]**

CITY OF SAN MATEO, et al.,

Defendants.

Plaintiff has recently filed two discovery motions [Docket Nos. 251, 254]. It appears that plaintiff filed these requests without first meeting and conferring with opposing counsel. Local Civil Rule 37-1 provides that the Court “will not entertain a request or a motion to resolve a disclosure or discovery dispute unless, pursuant to Fed. R. Civ. P. 37, counsel have previously conferred for the purpose of attempting to resolve all disputed issues.” See Civ. Local R. 37. To “‘meet and confer’ or ‘confer’ means to communicate directly and discuss in good faith the issue(s) required under the particular Rule or order [S]uch communication may take place by telephone. The mere sending of a written, electronic, or voice-mail communication, however, does not satisfy a requirement to ‘meet and confer’ or to ‘confer.’ Rather, this requirement can be satisfied only through direct dialogue and discussion – **either in a face to face meeting or in a telephone conversation.**” See Civ. Local R. 1-5(n) (emphasis added). Plaintiff is also notified that per this Court’s Standing Order, counsel seeking the Court’s intervention in a discovery dispute shall file and serve a **letter brief, five pages or less.**

Accordingly, plaintiff’s discovery requests are DENIED without prejudice. Plaintiff may refile these requests if, after complying with the meet and confer requirement, she is unable to resolve these matters with opposing counsel.

IT IS SO ORDERED.

Dated: April 24, 2009



SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California

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